

2021R00410/KML/DCH

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

FILED

APR 14 2022

**AT 3:35 P.M.
WILLIAM T. WALSH
CLERK**

UNITED STATES OF AMERICA : Hon. Michael A. Shipp
v. : Crim. No. 22- 288
LISA HAMMELL : 18 U.S.C. § 371
: 18 U.S.C. § 982(a)(2)(B)
: 18 U.S.C. § 1028(a)(7)

INDICTMENT

The Grand Jury in and for the District of New Jersey, sitting in Newark, charges:

1. At all times relevant to this Indictment:
 - a. Defendant LISA HAMMELL was a resident of New Jersey and an employee of the United States Postal Service ("USPS").
 - b. Individual-1, an individual whose identity is known to the Grand Jury, was a resident of Virginia and a federal employee.
 - c. Individual-2, an individual whose identity is known to the Grand Jury, was a resident of California.
 - d. Individual-3 and Individual-4, individuals whose identities are known to the Grand Jury, were residents of New Jersey.
 - e. The Centers for Disease Control and Prevention ("CDC") was a federal agency under the United States Department of Health and Human Services ("HHS"). The CDC was established to protect public health through the prevention of disease.

The Federal COVID-19 Vaccination Program

f. In or around January 2020, the Secretary of HHS declared a national public emergency under Title 42, United States Code, Section 247d, as a result of the spread of the novel coronavirus COVID-19 within the United States. On or about March 13, 2020, the President of the United States issued Proclamation 9994 declaring a national emergency beginning on March 1, 2020, as a result of the rapid spread of COVID-19.

g. To help combat COVID-19 and the resulting pandemic, in May 2020, the United States initiated Operation Warp Speed, later renamed HHS-DOD COVID19 Countermeasures Acceleration Group (CAG), a partnership between HHS, the Department of Defense (DOD), and other federal agencies, which existed through December 31, 2021, to make safe and effective vaccines available as quickly as possible. The principal purpose of CAG was to ensure that every American could receive a COVID-19 vaccine by supporting the acceleration of vaccine development, manufacturing, and distribution to states, other jurisdictions, and federal agencies and programs for vaccine administration.

h. Upon awarding contracts and providing funding, by September 2021, the federal government had acquired over 673 million doses of vaccines developed by Moderna, Pfizer, and Johnson and Johnson, which was sufficient to fully vaccinate 373 million people, in line with CAG's overall goal of making sufficient adult vaccines available free of charge for the American public.

i. In order to enable their rapid distribution upon the development of safe and effective COVID-19 vaccines, the Secretary of HHS issued a notice, pursuant to section 564 of the Federal Food, Drug, and Cosmetic (FD&C) Act, that there was a public health emergency that had a significant potential to affect national security or the health and security of United States citizens living abroad and that circumstances existed justifying the authorization of emergency use of drugs and biological products during the COVID-19 pandemic. Pursuant to the authority granted under this declaration, the United States Food and Drug Administration approved the Pfizer COVID-19 vaccine for emergency use on or about December 11, 2020, the Moderna COVID-19 vaccine for emergency use on or about December 18, 2020, and the Johnson and Johnson COVID-19 vaccine for emergency use on or about February 27, 2021 (together, the “COVID-19 vaccines”).

j. To ensure that each American could receive a COVID-19 vaccine, the CDC prepared for widespread administration, distribution, and tracking of the administration COVID-19 vaccines. Vaccine allocation and centralized distribution utilized HHS’s Vaccine Tracking System (VTrckS), a secure, web-based system that integrated the entire publicly funded vaccine supply chain from purchasing and ordering, through distribution to participating state, local, and territorial health departments and health care providers.

k. To be eligible to administer the COVID-19 vaccines, medical providers and other administrators of COVID-19 vaccines were required to enter into provider agreements with the CDC (“COVID-19 Provider Agreement”).

l. Upon entering into the COVID-19 Provider Agreement, medical providers and other administrators of COVID-19 vaccines (“authorized providers”) agreed, and were required, to “provide a completed COVID-19 vaccination record card to every COVID-19 [v]accine recipient, the adult caregiver accompanying the recipient, or other legal representative” (“COVID-19 vaccination record card”).

m. These COVID-19 vaccination record cards recorded the name and date of birth of the individual receiving the COVID-19 vaccine, the name of the manufacturer of the COVID-19 vaccine administered, the lot number of the vaccine dose, and the location where each dose was administered.

n. The CDC mandated that valid proof of COVID-19 vaccination, specifically, the COVID-19 vaccination record card, could only be provided to individuals by authorized providers administering COVID-19 vaccines.

Federal Government Workers

o. On September 9, 2021, the President of the United States issued Executive Order 14043, Requiring Coronavirus Disease 2019 Vaccination for Federal Employees, which required all federal agencies to implement a policy requiring all federal employees to be vaccinated against COVID-19. The Executive Order stated that the CDC “has determined that the best way to slow the spread of COVID-19 and to prevent infection by the Delta variant or other

variants is to be vaccinated” and that “to promote the health and safety of the Federal workforce and the efficiency of the civil service, it is necessary to require COVID-19 vaccination for all Federal employees.”

COUNT ONE
(Conspiracy to Defraud the United States)

2. From in or around March 2021, and continuing through in or around the present, in the District of New Jersey, and elsewhere, the defendant,

LISA HAMMELL,

did knowingly and intentionally conspire and agree with Individual-1 and others known and unknown to the Grand Jury to defraud the United States by impairing, impeding, obstructing, and defeating through deceit, craft, trickery, and dishonest means, the lawful government functions of HHS and CDC, a department and agency, respectively, of the United States, in the administration and distribution of COVID-19 vaccines and COVID-19 vaccination record cards.

Goal of the Conspiracy

3. It was the goal of the conspiracy for defendant LISA HAMMELL and her co-conspirators to (a) interfere with HHS and CDC’s lawful functions to administer and distribute the COVID-19 vaccines and ensure that only authorized providers issued genuine COVID-19 vaccination record cards, (b) obstruct the government’s impending federal employee vaccination order; and (c) conceal the manufacturing, distribution, and use of false and fraudulent COVID-19 vaccination record cards, and the receipt and transfer of the proceeds of the conspiracy.

Manner and Means of the Conspiracy

4. The manner and means by which defendant LISA HAMMELL and her co-conspirators sought to accomplish the goal of the conspiracy included, among others, the following:

a. Defendant LISA HAMMELL and others conspired to fraudulently obstruct HHS and CDC's administration and distribution of COVID-19 vaccines and valid proof of vaccination, as well as the government's orders regarding federal employee vaccination status, by designing and manufacturing fraudulent COVID-19 vaccination record cards using a replica of a genuine COVID-19 vaccination record card.

b. Defendant LISA HAMMELL promoted the scheme through messages and posts on social media that she could design, print, and sell fraudulent COVID-19 vaccination record cards. Defendant LISA HAMMELL communicated about the fraudulent scheme with her co-conspirators via social media and a private messaging feature of a social media application.

c. Defendant LISA HAMMELL printed fraudulent COVID-19 vaccination record cards using a printer and ink owned by USPS while at work at a U.S. post office in New Jersey.

d. Defendant LISA HAMMELL sold fraudulent COVID-19 vaccination record cards to individuals, including Individual-1, Individual-2, Individual-3, Individual-4, and others ("Buyers") for profit.

e. In exchange for payment, Defendant LISA HAMMELL provided Buyers with (i) blank fraudulent COVID-19 vaccination record cards and (ii)

forged and completed fraudulent COVID-19 vaccination record cards that identified the Buyers' names and dates of birth, and falsely recorded dates, locations, and lot numbers that the buyer's purportedly received a COVID-19 vaccine.

f. Using social media, an electronic payment application, the United States mail, and other means, defendant LISA HAMMELL distributed in excess of 400 fraudulent COVID-19 vaccination record cards to Buyers in New Jersey and throughout the United States.

g. Defendant LISA HAMMELL sold multiple blank fraudulent COVID-19 vaccination record cards to single individuals for the purpose of further distributing the cards to other individuals.

h. Defendant LISA HAMMELL received thousands of dollars in exchange for the sale of fraudulent COVID-19 vaccination record cards by soliciting payments, referred to by defendant LISA HAMMELL as "donations," from Buyers through an electronic payment application.

i. Defendant LISA HAMMELL and Buyers concealed and disguised the scheme and the nature and purpose of the payments by falsely referring to the transactions on an electronic payment application as payments for legitimate purposes, such as "movie tickets" and "Dinner & drinks," instead of truthfully describing them as payment for the unlawful purchase and sale of fraudulent COVID-19 vaccination record cards.

Overt Acts

5. In furtherance of the conspiracy and to accomplish its goal, defendant LISA HAMMELL and her co-conspirators committed or caused the commission of the following overt acts in the District of New Jersey and elsewhere:

a. On or about March 15, 2021, Individual-1 privately messaged defendant LISA HAMMELL stating, "It pains me to have to live in society with so many [expletive] sheep," and "People need to take a stand & tell the government & politicians to suck a [expletive]." Defendant LISA HAMMELL responded, "And they think it's 'for own our good' [crying laughing emojis] whennnnnnn has modern medicine or our government individually done anything for our own good? And now they're in cahoots with each other harder than ever. Ya. Def not for our own good."

b. On or about March 27, 2021, defendant LISA HAMMELL messaged Individual-1 stating, "Making fakeessssss. Graphic design degree paying off" and sent Individual-1 a photograph of two fraudulent COVID-19 vaccination record cards filled out with the personal identifying information of Individual-3 and Individual-4, fraudulent dates and locations that COVID-19 vaccines were administered to Individual-3 and Individual-4, and fraudulent information regarding COVID-19 vaccine lot numbers.

c. On or about May 24, 2021, LISA HAMMELL received two payments from Individual-3 via an electronic payment application, including one

payment for \$90 with the notation "Health" and one payment for \$60 with the notation "Health x2."

d. On or about July 27, 2021, Individual-1 privately messaged defendant LISA HAMMELL asking, "Good morning, random question . . . can you get me a vaccine card? My mom works for [a hospital] and they are forcing everyone to get the vaccine and she definitely is adamantly against it[.]" Defendant LISA HAMMELL responded, "I can as long as no one knows where it came from." Individual-1 asked defendant LISA HAMMELL whether she had an electronic payment application and wrote, "I'll pay you for your work." Defendant LISA HAMMELL sent Individual-1 an image of a code containing a link to her electronic payment application account.

e. On or about July 27, 2021, Individual-1 sent defendant LISA HAMMELL \$100 via an electronic payment application with the notation "Dinner & drinks[.]"

f. On or about July 28, 2021, Individual-1 sent defendant LISA HAMMELL a link to a news article with the summary, "President Joe Biden will announce on Thursday a requirement that all federal employees and contractors be vaccinated against Covid-19, or be required to submit to regular testing and mitigation requirements[.]" Individual-1 accompanied the link with a message to defendant LISA HAMMELL stating, "I need one too." Individual-1 privately messaged defendant LISA HAMMELL his full name, date of birth, and address. Defendant LISA HAMMELL responded to Individual-1 stating, "Of Course."

g. On or about May 3, 2021, LISA HAMMELL received \$25 from Individual-2 via an electronic payment application with a notation, "Greetings cards" in exchange for providing fraudulent COVID-19 vaccination record cards to Individual-2 for redistribution to other individuals.

h. On or about August 17, 2021, LISA HAMMELL received \$20 from Individual-2 via an electronic payment application with a notation "Birthday card."

i. On or about September 11, 2021, LISA HAMMELL received two additional payments from Individual-2 via an electronic payment application. The first payment was for \$20 with a notation, "Hi Lisa I need 5 movie tickets[.]" and the second payment was for \$20 with a notation, "Lisa can you add 5 more to that?"

j. On or about September 23, 2021, LISA HAMMELL received \$40 from Individual-2 through an electronic payment application with a notation "Can I get 10 [ticket emoji] to a matinee[?]"

k. On or about October 8, 2021, LISA HAMMELL received an additional \$40 from Individual-2 via an electronic payment application with a notation "Matinee movie tickets 12[.]"

All in violation of Title 18, United States Code, Section 371.

COUNT TWO
(Fraud in Connection with Identification Documents)

6. Paragraphs 1 and 3 through 5 of this Indictment are realleged here.

7. From in or around March 27, 2021, and continuing through in or around May 24, 2021, in the District of New Jersey, and elsewhere, the defendant,

LISA HAMMELL,

did knowingly possess and transfer in and affecting interstate commerce, without lawful authority, a means of identification of another person, to wit, fraudulent COVID-19 vaccination record cards containing the names and dates of birth of Individual-3 and Individual-4, fraudulent dates and locations that COVID-19 vaccines were purportedly administered to Individual-3 and Individual-4, and fraudulent information regarding COVID-19 vaccine lot numbers, with the intent to commit, and to aid or abet, and in connection with, any unlawful activity that constitutes a violation of State law, to wit, forgery in violation of New Jersey Code of Criminal Justice § 2C:21-1.

All in violation of Title 18, United States Code, Section 1028(a)(7).

FORFEITURE ALLEGATION AS TO COUNT TWO

1. Upon conviction of the offense in violation of 18 U.S.C. § 1028(a)(7), as charged in Count Two of this Indictment, defendant LISA HAMMELL shall forfeit to the United States, pursuant to 18 U.S.C. § 982(a)(2)(B), any property constituting, or derived from, proceeds obtained, directly or indirectly, as a result of such offense, and all property traceable to such property, and pursuant to 18 U.S.C. § 1028(b)(5), any personal property used and intended to be used to commit such offense.

Substitute Assets Provision

2. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

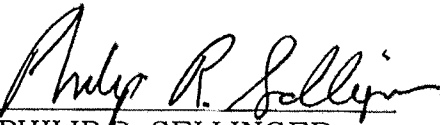
- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), as incorporated by 18 U.S.C. §§ 982(b) and 1028(g), to seek forfeiture of any other property of the defendant up to the value of the forfeitable property described above.

A True Bill,

[REDACTED]

Foreperson



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United States Attorney

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CASE NUMBER: 22-288 (MAS)

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

UNITED STATES OF AMERICA

v.

LISA HAMMELL

INDICTMENT FOR

**18 U.S.C. § 371
18 U.S.C. § 1028(a)(7)**

A true bill

Foreperson

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